

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION

RONALD L. STRALEY and wife,
MARY STRALEY,

Plaintiffs,

Vs.

THOMAS LOGISTICS, LLC,
D/B/A SPS MOVING, BEKINS
VAN LINES, LLC, and VANLINER
INSURANCE COMPANY,

Defendants.

C.A. No. 2:10-cv-2

AMENDMENT TO COMPLAINT

NOW COME the Plaintiffs, by and through counsel, pursuant to Rule 15(a)(1)(A) of the Federal Rules of Civil Procedure, and amend their Complaint by adding the following additional cause of action:

CLAIM UNDER THE CARMACK AMENDMENT

49 U.S.C. §14706

1. The Plaintiffs reallege and incorporate herein by reference as though set forth herein verbatim, Paragraphs 1 through 14 of their Complaint.
2. The possessions of Plaintiffs were in good condition when placed in the custody of and entrusted to Thomas.
3. The Plaintiffs filed a written claim within nine (9) months of the date of the delivery of the property.

WHEREFORE, the Plaintiffs renew their prayer for relief as set forth in the Complaint.

January 27, 2010

s/Joseph M. Collins
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CERTIFICATE OF SERVICE

I hereby certify that on 27 January 2010, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system. I further certify that I served opposing counsel with the foregoing document by using the CM/ECF system, as follows:

Casper Fredric Marcinak , III
Attorney at Law
fredric.marcinak@smithmoorelaw.com

s/Joseph M. Collins

Joseph M. Collins